

Message

From: Chesnutt, John [Chesnutt.John@epa.gov]
Sent: 9/5/2019 10:32:48 PM
To: Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]
CC: Sanchez, Yolanda [Sanchez.Yolanda@epa.gov]; Praskins, Wayne [Praskins.Wayne@epa.gov]
Subject: FW: legal review please of HPNS Buildings email response

Brianna, Please conduct a legal review of this draft response to Enrique.
Thanks, John

Enrique, You asked for my reaction to the Navy's response to Mr. Edmonson's question about demolishing the buildings rather than rescanning, cleaning and rehabbing them. As you know, EPA initiated dialogue with the Navy, State, and City this last year along the lines of what Mr. Edmonson inquired about. We raised the question to as to whether the time and cost that it takes to 1) re-evaluate and agree on the protectiveness of the original residential building cleanup standards using either EPA's revised Building PRG (BPRG) calculator or the Navy's preferred RESRAD approach and then 2) rescan and potentially remediate the buildings, makes sense if the developer plans to remove a majority of the buildings anyway. And, as you know, your April 11 "path forward" letter to Laura Duchnak stated:

Additionally, if the Navy works to test and clean up current, onsite buildings that will ultimately be demolished for redevelopment, that would be also be a waste of government resources. The rework for the buildings should apply the most realistic re-use scenario; therefore, we recommend EPA and the Navy engage in discussions with the City/County of San Francisco on their residential re-use plans for current onsite buildings. In addition, EPA and the Navy should engage in discussions with the State of California regarding its regulatory framework for approving the transfer of buildings to the City/County for redevelopment or demolition. We, therefore, recommend segregating this buildings issue for further analysis and discussion while testing and, if needed, cleanup of soil proceeds.

In general, the Navy's response mischaracterizes progress on this issue, particularly in four areas:

1. "Navy has been making good progress with the regulatory agencies on the path forward for the building evaluation." For this evaluation, the Navy plans to consult with EPA HQ on the alternate use of the RESRAD approach for buildings, rather than using EPA's preferred EPA BPRG calculator. Assuming EPA can even reach agreement on RESRAD input parameters, this process will take time and the Navy has only just informally begun this consultation process with EPA.
2. "... demolition could take longer..." and "... there were concerns that regulatory agreement on scans to support demolition could be as complicated as the rescanning effort for clearance of the buildings." EPA believes it is still a valid question as to whether it would be faster if the buildings were demolished upfront (with appropriate dust controls), followed by a streamlined sampling of debris piles to characterize soils for disposal, as opposed to meeting EPA-approved residential building cleanup standards during slow, methodical building scans. The State would generally drive the requirements for demolition scans/disposal of demolition debris, and EPA is not aware that the Navy has consulted with the State (esp. CDPH) on how difficult it would take to reach agreement on this issue.
3. "DON did not perform a cost analysis of building demolition" and "it appears that demolition could ... cost more". The Navy should try to cost this out, and also calculate the differences in time, as the time to debate remedial goals and complete full building scans will not be insignificant.
4. "demolition ... may not be viewed as healthy for the community since it will generate large quantities of waste". We understand the majority of buildings will be demolished anyway, so dust and disposal issues will need to be addressed either way. And, the Navy says, "there would only be very small areas of any radiological contamination", so the threat of release of radioactive impacted dust and such during demolition and removal should be manageable – as manageable as any waste removed from the site in the past.

In short, Mr. Edmonson's suggestion to complete a cost/benefit analysis of this issue is valid and consistent with EPA's request to the Navy, which the Navy's response suggests they have not taken seriously. At a minimum, Angeles and I will discuss this Navy response with our Navy and State counterparts at our upcoming quarterly Navy managers' meeting.

John

From: Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>
Sent: Friday, August 30, 2019 6:14 AM
To: Chesnutt, John <Chesnutt.John@epa.gov>; Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Praskins, Wayne <Praskins.Wayne@epa.gov>
Cc: Herrera, Angeles <Herrera.Angeles@epa.gov>; Glenn, William <Glenn.William@epa.gov>; Maier, Brent <Maier.Brent@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Butler, Thomas <Butler.Thomas@epa.gov>; Maldonado, Lewis <Maldonado.Lewis@epa.gov>
Subject: Fwd: HPNS Buildings

Sent from my iPhone

Begin forwarded message:

From: "Didawick, Holly H CDR USN (USA)" <holly.h.didawick@navy.mil>
Date: August 30, 2019 at 5:25:24 AM PDT
To: "Edmonson, Robert" <Robert.Edmonson@mail.house.gov>
Cc: "Duchnak, Laura S CIV USN COMNAVFACENGCOM DC (USA)" <laura.duchnak@navy.mil>, "Manzanilla, Enrique" <Manzanilla.Enrique@epa.gov>, "Maier, Brent" <Maier.Brent@epa.gov>, "Sesay, Nadia (CII)" <nadia.sesay@sfgov.org>, "Schmitt, Daniel J CDR USN (USA)" <daniel.schmitt1@navy.mil>
Subject: RE: HPNS Buildings

Robert,

Good morning. Thanks for your question below. The team initially gave some quick thoughts to demolition to expedite rework of the buildings at Hunters Point Shipyard but has since been concentrating on the current path forward. DON did not perform a cost analysis of building demolition, since there were concerns that regulatory agreement on scans to support demolition could be as complicated as the rescanning effort for clearance of the buildings. The duration of demolition would be also be dependent on regulatory and community approval. Preliminarily, it appears that demolition could take longer, cost more, and given the fact that there would only be very small areas of any radiological contamination, if any, it may not be viewed as healthy for the community since it will generate very large quantities of waste.

Navy has been making good progress with the regulatory agencies on the path forward for the building evaluation. Moving forward, we can work with the regulatory agencies and the City to see if we need to dig back into this issue and relook at whether demolition should be considered as a tool to address any of the buildings. Thank you for your continued patience as we work through this effort.

Please let us know if you have any additional questions. In the meantime, have a happy Labor Day weekend.

Regards,

Holly

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From: Edmonson, Robert <Robert.Edmonson@mail.house.gov>
Sent: Monday, August 26, 2019 12:45 PM
To: Didawick, Holly H CDR USN (USA) <holly.h.didawick@navy.mil>; Duchnak, Laura S CIV USN COMNAVFACENGCOM DC (USA) <laura.duchnak@navy.mil>; Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>; Maier, Brent <Maier.Brent@epa.gov>; 'Sesay, Nadia (CII)' <nadia.sesay@sfgov.org>
Subject: [Non-DoD Source] HPNS Buildings

Something I'm wondering as Navy and EPA continue to work on the Building rework standards – what is the potential to save time, money and improve health if we just demolished and removed the buildings as opposed to rescanning, cleaning and rehabbing them? Has their been any cost/benefit analysis on that?

Robert Edmonson
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